APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,601	12/08/2003	Merzad Hemmat	IDF 2194 (4000-11100)	8879

28003   7590   10/25/2007

SPRINT
6391 SPRINT PARKWAY
KSOPHT0101-Z2100
OVERLAND PARK, KS 66251-2100

EXAMINER
DAO, THUY CHAN

ART UNIT	PAPER NUMBER
2192	

MAIL DATE	DELIVERY MODE
10/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)
	10/730,601	HEMMAT ET AL.
	Examiner	Art Unit	
	Thuy Dao	2192	

All participants (applicant, applicant's representative, PTO personnel):

(1) *Mr. Genco (Reg. No. 58,096)*.   (3)_____.

(2) *Thuy Dao*.   (4)_____.

   Date of Interview: *23 October 2007*.

   Type: a)☒ Telephonic   b)☐ Video Conference
         c)☐ Personal [copy given to: 1)☐ applicant   2)☐ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes   e)☒ No.
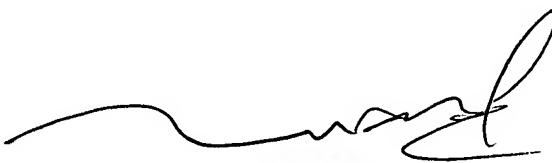   If Yes, brief description: _____.

Claim(s) discussed: *1,8,16,20*.

Identification of prior art discussed: *N/A*.

Agreement with respect to the claims f)☒ was reached.   g)☐ was not reached.   h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *Mr. Genco pointed out the supporting text of previously added limitations (amendments filed June 29, 2007) in claims 1, 8, 16, and 20 (at least in specification, page 13, paragraph [0038]). Mr. Genco further clarified the proposed amendments in claims 1, 8, 16, and 20. The examiner respectfully requested the Applicants point out the supporting text/figue in the official reply/response and will carefully consider the official reply/response accordingly.*

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

TUAN DAM
SUPERVISORY PATENT EXAMINER

Examiner Note: You must sign this form unless it is an
Attachment to a signed Office action.   _____
                                      Examiner's signature, if required

FAX TRANSMITTAL COVER SHEET

CONLEY ROSE, P.C.
5601 Granite Parkway, Suite 750
Plano, Texas 75024-6616
Fax Number: (972) 731-2289
Telephone Number: (972) 731-2288

PLEASE DELIVER THE FOLLOWING PAGES IMMEDIATELY TO:

NAME::   Examiner Thuy Chan Dao, Group Art Unit 2192
U.S. Patent and Trademark Office

FAX: 571 273-8570

FROM: Brian Genco

DATE: October 9, 2007

RE: U.S. Patent Application No. 10/730,601
Applicant Initiated Interview Request Form (1 page)
Interview Request Attachment (12 pages)

REMARKS:

Total Number of Pages (Including This One):   14
OUR CLIENT/MATTER NO.:   4000-11100

YOUR REFERENCE NO.:   Patent Application No. 10/730/601

IF YOU DO NOT RECEIVE ALL THE PAGES,
PLEASE CALL 972-731-2288 AS SOON AS POSSIBLE

45150.01/9940.00520

Applicant Initiated Interview Request Form

Application No.: _10/730,601_   First Named Applicant: _Merzad Hemmat_

Examiner: _Thuy Chan Dao_   Art Unit: _2192_   Status of Application: _Final Rej._

Tentative Participants:

(1) _Thuy Chan Dao_   (2) ~~Tuan Dam~~ _T. Dao 10/23/07_

(3) _Brian Genco_   (4)_____

Proposed Date of Interview: _October 23, 2007_   Proposed Time: _9:30 EST_ (AM/PM)

Type of Interview Requested:

(1) [✓] Telephonic   (2) [ ] Personal   (3) [ ] Video Conference

Exhibit To Be Shown or Demonstrated: [ ] YES   [✓] NO

If yes, provide brief description:_____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Rej.	1,8,16,21	Kaencke	[ ]	[ ]	[ ]
(2)			[ ]	[ ]	[ ]
(3)			[ ]	[ ]	[ ]
(4)			[ ]	[ ]	[ ]

[ ] Continuation Sheet Attached

Brief Description of Arguments to be Presented:

See Attached.

_____

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

_____   _____
Applicant/Applicant's Representative Signature   Examiner/SPE Signature

Brian Genco
_____
Typed/Printed Name of Applicant or Representative

58,096
_____
Registration Number, if applicable

Attorney Docket No: IDF 2194 (4000-11100) *Patent*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: MerzadHemmat, et al.	§ §	
	§	Group Art Unit: 2192
Serial No.: 10/730,601	§ §	Examiner: Dao, Thuy Chan
Filed: December 8, 2003	§ §	Confirmation No.: 8879
For: INTEGRATED ADVANCE SCHEDULING AND RESOURCE RESERVATION OF INDETERMINATE PROJECTS IN AN INTEGRATED DEVELOPMENT PROCESS	§ § § § §	

INTERVIEW REQUEST AND PROPOSED AMENDMENT – NOT FOR ENTRY

In response to the Final Office Action dated September 20, 2007, Applicants respectfully request the following issues be considered for discussion in the telephone interview tentatively scheduled for Tuesday, October 23, at 9:30 am EST. Applicants respectfully submit that these issues are not to be entered as a response to the Final Office Action dated September 20, 2007. Furthermore, Applicants respectfully submit that such issues are non-binding and do not create any estoppel until such time as agreement is reached with the Examiner regarding same and formal amendments and/or remarks are presented and entered.

1

47063.01/4000.11100

Listing of the Proposed Claims:

1. (Currently Amended)   A computer implemented method for scheduling resources to

be used in a software development project comprising:

>   a customer providing information regarding a software development project to
>
>   be completed;
>
>   a planning department initially reviewing the provided information and providing
>
>   initial feedback prior to completing a detailed requirements analysis,
>
>   wherein the detailed requirements analysis includes a plurality of steps;
>
>   the planning department reserving resources for the project based on the
>
>   information prior to completing the detailed requirements analysis;
>
>   the planning department confirming the reserved resources at each of the
>
>   plurality of steps in the throughout-the detailed requirements analysis;
>
>   and
>
>   the planning department storing a list of the reserved resources on a
>
>   computer readable medium.

2. (Currently Amended)   The method of claim 1, further comprising after reserving

resources:

>   offering the customer a contract describing the resources to be used for the
>
>   project upon completion of the detailed analysis through [[a]] the
>
>   planning department; and
>
>   scheduling the reserved resources as agreed upon in the contract upon

2

47063.01/4000.11100

PAGE 4/14 * RCVD AT 10/9/2007 12:43:26 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/16 * DNIS:2738570 * CSID:972 731 2289 * DURATION (mm-ss):02-58

approval of the contract by the customer ~~upon approval of the contract~~

~~by the customer~~ through [[a]] the planning department.

3. (Original) The method of claim 2, further comprising after reserving resources and prior to completing the detailed requirements analysis:

    the planning department confirming the reserved resources during the detailed requirements analysis.

4. (Original) The method of claim 2, wherein the detailed requirements analysis comprises:

    a functional requirements modeling step.

5. (Original) The method of claim 2, wherein the detailed requirements analysis comprises:

    a system requirements modeling step.

6. (Original) The method of claim 2, wherein the detailed requirements analysis comprises:

    an application integration modeling step.

7. (Original) The method of claim 2, wherein the detailed requirements analysis comprises:

3

a contract development step.

8. (Currently Amended)   A computer implemented method for scheduling resources needed for a project comprising:

> a planning department managing a customer's expectations about the project based on preliminary information the customer provides to the planning department;

> the customer approving the project for further analysis<u> wherein the further analysis includes a plurality of steps</u>;

> the planning department reserving resources for the project based on the preliminary information and past experience;

> the planning department confirming the reserved resources <u>at each of the plurality of steps in</u> ~~throughout~~ the further analysis;

> upon completion of the further analysis, the planning department offering the customer a contract describing the resources to be used for the project;

> upon approval of the contract by the customer, the planning department scheduling the resources agreed upon in the contract; and

> the planning department storing a list of the reserved resources on a computer readable medium.

9. (Original) The method of claim 8 wherein the managing of the customer's expectations comprises the planning department giving the customer an estimate of

4

47063.01/4000.11100

PAGE 6/14 * RCVD AT 10/9/2007 12:43:26 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/16 * DNIS:2738570 * CSID:972 731 2289 * DURATION (mm-ss):02-58

the likely duration of the project based on past experience and on the preliminary

information provided by the customer.

10. (Original) The method of claim 9 wherein the customer's approval of the project for

further analysis is based on the estimate of the likely duration of the project.

11. (Original) The method of claim 8 wherein the confirming of the reserved resources

comprises determining whether the results of the further analysis indicate whether

modifications are needed in the reserved resources.

12. (Original) The method of claim 8 wherein the further analysis comprises a functional

requirements modeling step, a system requirements modeling step, an application

integration modeling step, and a contract development step.

13. (Original) The method of claim 12 wherein the confirming of reserved resources

occurs at the end of each step in the further analysis.

14. (Original) The method of claim 11 wherein, if it is determined that modifications are

needed in the reserved resources, alerts are sent to projects dependent on a project

for which modifications are needed in the reserved resources, the alerts informing

the dependent projects that further analysis may be needed.

5

Patent

15. (Original) The method of claim 8 wherein the reserving of resources is aided by a tool that uses past experience and the preliminary information as input and produces an estimate of the resources required as output.

16. (Currently Amended)   A computer implemented method for scheduling resources to be used in a software development project comprising:

> a customer submitting information about the software development project to an Information Technology department;
>
> the Information Technology department analyzing the feasibility of the project and estimating its cost;
>
> the customer deciding whether to proceed with the project based on the analysis of feasibility and estimate of cost;
>
> upon deciding to proceed, the customer prioritizing and funding the project;
>
> the Information Technology department reserving resources for the project;
>
> the Information Technology department modeling at least one requirement for the project;
>
> upon completion of the at least one requirement modeling, the Information Technology department giving the customer an estimate of the resources needed for the project; and
>
> booking the resources upon approval of the estimate by the customer; and
>
> the planning department storing a list of the reserved resources on a computer readable medium.

6

47063.01/4000.11100

PAGE 8/14 * RCVD AT 10/9/2007 12:43:26 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/16 * DNIS:2738570 * CSID:972 731 2289 * DURATION (mm-ss):02-58

17. (Previously Presented) The method of claim 16 further comprising, during the requirement modeling, the Information Technology department determining whether the results of the modeling of a requirement indicate that modifications to the requirement are needed.

18. (Original) The method of claim 17 wherein, when modifications are needed, alerts are sent to projects dependent on a project for which modifications are needed in the reserved resources, the alerts informing the dependent projects that further analysis may be needed.

19. (Original) The process of claim 16 wherein the reserving of resources is aided by a tool that uses past experience and the information submitted by the customer as input and produces an estimate of the resources required as output.

7

20. (Currently Amended)   A computer implemented method for scheduling software releases for a computer system comprising:

> planning a series of releases for a given time period, each release having an initial allocation of capacity;

> reviewing information regarding proposed software projects and providing initial estimates of cost and duration for such projects to customers for approval to move into detailed analysis;

> on receiving approval for detailed analysis for each project, reviewing the planned series of releases and the initial estimate of cost and duration for the approved project and reserving capacity in a release having available capacity for the project approved for further analysis;

> [[as]]at each step in a detailed analyses and as customer feedback change the scope of the projects approved for further analysis, adjusting the reserved capacity and, where available capacity is not present, moving the reserved capacity to a later release;

> as the detailed analyses are completed and projects finally approved, booking the scheduled reservations in the releases; and

> the planning department storing a list of the reserved resources on a computer readable medium.

8

Attorney Docket No: IDF 2194 (4000-11100)   *Patent*

21. (Original) The method of claim 20, wherein reviewing the planned series of releases and the initial estimate of cost and duration for the approved project further comprises:

> reviewing the preliminary test approach as determined in the initial review, the type of lab required, and the available resources in the required lab.

22. (Original) The method of claim 20, wherein reviewing the planned series of releases and the initial estimate of cost and duration for the approved project further comprises:

> reviewing dependencies with other projects.

23. (Original) The method of claim 20, wherein reviewing the planned series of releases and the initial estimate of cost and duration for the approved project further comprises:

> reviewing the available workforce in the required areas.

24. (Original) The method of claim 20, further comprising prior to planning a series of releases for a given time period:

> receiving from customers estimates of total time required for proposed projects in the given time period; and,
>
> adding the received estimates to get a total amount of time for the given time period and dividing the time into releases throughout the time period.

9

Patent

25. (Original) The method of claim 24, wherein the number and capacity of the planned releases is determined by the total amount of time received.

26. (Original) The method of claim 24, wherein an extra percentage of time can be added to the capacity allocated to each release.

10

Summary of Rejections

Claims 1-26 were pending at the time of the Office Action.

Claims 1, 2, 8, 16 and 20 were objected.

Claims 1-26 were rejected under 35 USC § 102(e) as being anticipated by U.S. Patent Publication No. 2004/0143811 A1 to Kaelicke et al. (hereinafter "Kaelicke").

Interview Agenda

- Discuss objection to Claims 1, 8, 16, and 20.

  - Applicants respectfully submit that implicit support is provided in at least paragraph 0038.

- Kaelicke does not disclose reserving resources prior to completing a detailed requirements analysis.

- Kaelicke does not disclose confirming the resources at each step in the detailed requirements analysis. (see Fig. 1 of the specification)

- Kaelicke does not disclose scheduling or booking the reserved resources upon approval of the contract by the customer.

While some amendments have been presented for discussion in the interview, these amendments do not preclude the possibility of further amending the claims for further clarification. Applicants welcome any suggestions by the Examiner.

11

47063.01/4000.11100

Attorney Docket No: IDF 2194 (4000-11100)   *Patent*

Conclusion

If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, he is encouraged to telephone the undersigned at (972) 731-2286.

Respectfully submitted,

Date: 10/9/07

Brian Genco
Reg. No. 58,096
for
Michael W. Piper
Reg. No. 39,800

CONLEY ROSE, P.C.
5601 Granite Parkway, Suite 750
Plano, Texas 75024
(972) 731-2288
(972) 731-2289 (facsimile)

ATTORNEY FOR APPLICANTS

12

47063.01/4000.11100